

EXHIBIT A

SIPCO v. ABB – SIPCO’s Proposed Claim Constructions for ‘692 Patent and Exemplary Intrinsic and Extrinsic Support

No.	TERM	Claims	SIPCO’s Proposed Constructions	Exemplary Intrinsic Support	Exemplary Extrinsic Evidence
1.	“[relatively] low power”	1, 3, 18, 32, 55, 60	power having limited transmission range	Col. 5, ll. 44-64; Col. 6, ll. 3-7; Col. 7, ll. 1-5; Col. 3, ll. 7-10; Col. 8, ll. 46-50, ll. 60-62; Col. 9, ll. 8-12; Figure 2 and related discussion ‘692 Patent File history, e.g. at Response to Office Action dated August 7, 2001 at pp. 17-18; Request for Reconsideration of Final Office Action at pp. 4-6; Appeal Brief at pp. 8-12; Notice of Allowability, p. 2	Markman Order in <i>SIPCO v. Datamatic</i> , Case No. 6:09-cv-00532 (E.D. Tex.) FCC Regulations, including 47 C.F.R. Ch. 1 §15.247, entitled “Operation within the bands 902-928 MHz, 2400-2483.5 MHz, and 5725-5850 MHz,” Declaration of Dr. Edward Knightly, dated January 7, 2011, as filed in <i>SIPCO v. Datamatic</i> Infringement Contentions and related Exhibits served to Defendants in this litigation ZigBee and Z-Wave materials, utilizing the terms “low power” and “nearby.”
2.	“low power”	1, 3, 18, 24, 32, 34, 42, 49, 55, 60	power having limited transmission range	See No. 1 (“[relatively] low power”)	
3.	“low power radio frequency signal”	3, 32, 34, 55	See No. 1 (“[relatively] low power”).		
4.	“low-power RF signal”	55	See No. 1 (“[relatively] low power”).		
5.	“relatively low power radio frequency transceivers”	1, 18, 49, 55, 60	See No. 1 (“[relatively] low power”).		
6.	“the low-power RF signal is		Does not require construction –	Col. 15, l. 1; Fig. 2	

SIPCO v. ABB – SIPCO’s Proposed Claim Constructions for ‘692 Patent and Exemplary Intrinsic and Extrinsic Support

No.	TERM	Claims	SIPCO’s Proposed Constructions	Exemplary Intrinsic Support	Exemplary Extrinsic Evidence
	received and repeated as required”		entitled to plain & ordinary meaning. Alternatively, “the low-power RF signal is received and repeated until it reaches its intended destination.” See No. 1 (“[relatively] low power”).		
7.	“relatively low-power radio frequency (RF) transceivers dispersed geographically at defined locations”	1	Does not require construction – entitled to plain & ordinary meaning. Alternatively, “relatively low-power radio frequency (RF) transceivers dispersed geographically at defined locations.” See No. 1 (“[relatively] low power”).	Col. 3, ll. 10-13; Col. 6, l. 67 – Col. 7, l. 2	
8.	“at least one wireless low-power RF transceiver”	42	See No. 1 (“[relatively] low power”).		
9.	“wireless relatively low-power RF transceiver”	49	See No. 1 (“[relatively] low power”).		
10.	“remote”	1	Does not require construction – entitled to plain & ordinary meaning. Appears in non-limiting preamble. Alternatively, “located separately from a gateway or computer”	Passim	
11.	“actuator”	6, 8, 24, 28, 42, 49	Does not require construction – entitled to plain & ordinary meaning. Alternatively, “an equipment, program, or device capable of effectuating a desired system response.”	Abstract; Col. 3, ll. 1-5, 54-56; Col. 5, ll. 30-33; 61-64; Col. 10, ll. 5-8, 48-51; Col. 17, ll. 12-15; Claim 60	
12.	“actuator integrated with the	8	Does not require construction –	See No. 11 (“actuator”)	

SIPCO v. ABB – SIPCO’s Proposed Claim Constructions for ‘692 Patent and Exemplary Intrinsic and Extrinsic Support

No.	TERM	Claims	SIPCO’s Proposed Constructions	Exemplary Intrinsic Support	Exemplary Extrinsic Evidence
	transceiver is responsive to the control signal”		entitled to plain & ordinary meaning. Alternatively, “actuator integrated with the transceiver applies the control signal to effectuate the desired system response.” See No. 11 (“actuator”).		
13.	“electrically coupled with an actuator”	42, 49	Does not require construction – entitled to plain & ordinary meaning. Alternatively, “in communication with an actuator via an electrical connection.” See No. 12 (“actuator...”)	Col. 5, l. 19	
14.	“applying the analog signal to an actuator”	24	Does not require construction – entitled to plain & ordinary meaning. See No. 12 (“actuator...”)	Col. 9, ll. 17-24	
15.	“application system input”	49	Does not require construction – entitled to plain & ordinary meaning. Alternatively, “a signal relating to a system parameter or condition.”	Abstract; Col. 10, ll. 12-23; Col. 9, ll. 66-67; Claim 49	
16.	“gateway”	1, 2, 7, 10, 11, 12, 18, 24, 32, 33, 35, 36, 42, 44, 45, 46, 49, 50, 51, 54, 55, 60	equipment, program and/or device capable of converting and further communicating information	Abstract; Figures 2 and 4 and related discussion; Col. 6, ll. 15-30; Col. 7, ll. 1-12; Col. 12, ll. 20-40; Col. 13, l. 15	<i>Markman Order in SIPCO v. Datamatic</i> Declaration of Dr. Edward Knightly, dated January 7, 2011, as filed in <i>SIPCO v. Datamatic</i>
17.	“at least one gateway connected a wide area network (WAN) configured to receive and translate the	32	at least one gateway connected to a wide area network (WAN) configured to receive and translate the retransmitted RF signal	Abstract; Figures 2 and 4 and related discussion; Col. 6, ll. 15-30; Col. 7, ll. 1-12; Col. 12, ll. 20-40; Col. 13, l. 15	<i>Markman Order in SIPCO v. Datamatic</i> Declaration of Dr. Edward Knightly, dated January 7,

SIPCO v. ABB – SIPCO’s Proposed Claim Constructions for ‘692 Patent and Exemplary Intrinsic and Extrinsic Support

No.	TERM	Claims	SIPCO’s Proposed Constructions	Exemplary Intrinsic Support	Exemplary Extrinsic Evidence
	retransmitted RF signal”			15	2011, as filed in <i>SIPCO v. Datamatic</i>
18.	“configured to translate a physical condition into an analog version of the application system input”	49	Does not require construction – entitled to plain & ordinary meaning. Alternatively, “programmed, adapted to, or equipped with software to convert a physical condition into an analog version of the application system input.”	See No. 37 (“translating...”)	
19.	“configured to transmit select information and transmitter identification information”; “configured to receive select information transmitted from at least one nearby wireless transmitter and further configured to transmit the select information, the transmitter identification information and transceiver identification information”; “configured to receive and translate the select information, the transmitter identification information, and transceiver identification information, said gateway further configured to farther transmit the translated information to the computer over the WAN”	all claims	Does not require construction – entitled to plain & ordinary meaning. Figs. 7 and 11 are exemplary embodiments. Alternatively: “transmitter identification information” should be construed to mean “information that identifies a particular transmitter” “transceiver identification information” should be construed to mean “information that identifies a particular transmitter” See No. 29 (“select information”) See No. 37 (“translating...”) “further configured to farther transmit the translated information to the computer over the WAN” should be construed to mean “further configured to transmit	Col. 6, ll. 46-48; Summary	

SIPCO v. ABB – SIPCO’s Proposed Claim Constructions for ‘692 Patent and Exemplary Intrinsic and Extrinsic Support

No.	TERM	Claims	SIPCO’s Proposed Constructions	Exemplary Intrinsic Support	Exemplary Extrinsic Evidence
			information in a converted format to the computer over the WAN”		
20.	“local controller”	55, 60	Does not require construction – entitled to plain & ordinary meaning. Alternatively, “an equipment, program, or device that controls or implements the operation of a local device or process.”	Fig. 13 and related discussion	Microsoft dictionary: “controller: A device that other devices rely on for access to a computer subsystem.”
21.	“adaptively configuring a data translator at the output of a local controller”	55	Does not require construction – entitled to plain & ordinary meaning. Alternatively, “adaptively configuring a device capable of translating data disposed in communication with a local controller.”	Figure 13 and related discussion; Col. 3, ll. 66 – Col. 4, l. 16	
22.	“data translator”	55, 60	Does not require construction – entitled to plain & ordinary meaning. Alternatively, “an equipment, program, or device that converts system data.”	Col. 16, ll. 20-21; Fig. 13 and related discussion	
23.	“dedicated intranet”	14, 38, 48, 53	Does not require construction – entitled to plain & ordinary meaning. Alternatively, “a network reserved for a specific purpose.”	Col. 3, ll. 36-38	
24.	“granting client access”	18, 55	Does not require construction – entitled to plain & ordinary meaning. Alternatively, “allowing client access.”	Col. 2, ll. 50-53; Col. 10, ll. 24-30	
25.	“in response to a physical condition”	32	Does not require construction – entitled to plain & ordinary meaning. Alternatively, “in response to a physical condition or	Claim 32 preamble.	

SIPCO v. ABB – SIPCO’s Proposed Claim Constructions for ‘692 Patent and Exemplary Intrinsic and Extrinsic Support

No.	TERM	Claims	SIPCO’s Proposed Constructions	Exemplary Intrinsic Support	Exemplary Extrinsic Evidence
			state.”		
26.	“information signal consisting of a transceiver identification code and a concatenation of function codes”	60	Does not require construction – entitled to plain & ordinary meaning. Alternatively, “a signal that includes the identification of a transceiver and a sequence of function codes.”	Fig. 11 and related discussion	
27.	“nearby”	1	within transmission range of a relatively low-power transceiver	Col. 5, ll. 44-64; Col. 6, ll. 3-7; Col. 7, ll. 1-5; Col. 3, ll. 7-10; Col. 8, ll. 46-50, ll. 60-62; Col. 9, ll. 8-12; Figure 2 and related discussion ‘692 Patent File history, e.g. at Response to Office Action dated August 7, 2001 at pp. 17-18; Request for Reconsideration of Final Office Action at pp. 4-6; Appeal Brief at pp. 8-12; Notice of Allowability, p. 2	<i>Markman Order in SIPCO v. Datamatic</i> FCC Regulations, including 47 C.F.R. Ch. 1 §15.247, entitled “Operation within the bands 902-928 MHz, 2400-2483.5 MHz, and 5725-5850 MHz,” Declaration of Dr. Edward Knightly, dated January 7, 2011, as filed in <i>SIPCO v. Datamatic</i> Infringement Contentions and related Exhibits served to Defendants in this litigation ZigBee and Z-Wave materials, utilizing the terms “low power” and “nearby.”
28.	“permanently connected to the WAN”	10, 35, 45, 50	Does not require construction – entitled to plain & ordinary meaning. Alternatively, “constantly connected to the WAN”	Col. 7, ll. 27-28; Col. 12, ll. 9-10	Definition of “permanent” from dictionary.com: “(1) existing perpetually; everlasting, especially

SIPCO v. ABB – SIPCO’s Proposed Claim Constructions for ‘692 Patent and Exemplary Intrinsic and Extrinsic Support

No.	TERM	Claims	SIPCO’s Proposed Constructions	Exemplary Intrinsic Support	Exemplary Extrinsic Evidence
			without significant change.”		without significant change; (2) intended to exist or function for a long, indefinite period without regard to unforeseeable conditions.”
29.	“select information”	1, 2, 5, 8, 12	Does not require construction – entitled to plain & ordinary meaning. Alternatively, “information relating to a condition or parameter.”	Col. 3, ll. 2-8; Col. 10, ll. 31-54; Fig. 3D;	
30.	“translate the select information”	1	See No. 37 (“translating...”) See No. 29 (“select information...”).		
31.	“sensor”	4, 18, 23, 24, 32, 43, 44, 49, 60	Does not require construction – entitled to plain & ordinary meaning. Alternatively, “an equipment, program, or device that monitors or measures the state or status of a parameter or condition.”	Col. 1, ll. 36-37; Col. 3, ll. 1-12; Col. 5, ll. 61-64; Col. 9, ll. 14-20 ; Col. 9, l. 55 – Col. 10, l. 4; Col. 10, ll. 28-34; Col. 13, ll. 8-10; Col. 13, ll. 31-50; Col. 16, ll. 45-48; Col. 17, ll. 12-15	
32.	“integrated with a sensor”	4	Does not require construction – entitled to plain & ordinary meaning. Alternatively, “connected to or in communication with a sensor.” See No. 31 (“sensor”).	Figs 2, 3B and related discussion	
33.	“the wireless transceiver electrically coupled with an actuator and a sensor”	49	See No. 13 (“electrically coupled with an actuator”).		
34.	“transceiver”	1, 2, 5, 6, 7, 8, 9, 12, 16, 18, 24, 26, 27, 28,	Does not require construction – entitled to plain & ordinary meaning. Alternatively, “two-way	Col. 17, ll. 34-35; Fig. 3D and related discussion	

SIPCO v. ABB – SIPCO’s Proposed Claim Constructions for ‘692 Patent and Exemplary Intrinsic and Extrinsic Support

No.	TERM	Claims	SIPCO’s Proposed Constructions	Exemplary Intrinsic Support	Exemplary Extrinsic Evidence
		33, 36, 40, 42, 43, 44, 49, 55, 60, 61	wireless communication device.”		
35.	“wireless transceiver configured to translate the RF signal to an analog output signal”	42, 49	Does not require construction – entitled to plain & ordinary meaning. Alternatively, “wireless transceiver configured to convert the RF signal to an analog output signal.” See No. 37 (“translating...”)	Col. 9, ll. 18-21	
36.	“translate the analog signal into a response”	42, 49	Does not require construction – entitled to plain & ordinary meaning. Alternatively, “convert the analog signal into a response.” See No. 37 (“translating...”)	Col. 9, ll. 18-21	
37.	“translating the data”	24, 60	Does not require construction – entitled to plain & ordinary meaning. Alternatively, “converting the data.”	Col. 6, ll. 20-25; Col. 12, ll. 9-12, 34-38; Col. 13, ll. 13-16; Col. 16, ll. 13-34; Figures 4, 13 and related discussion	Declaration of Dr. Edward Knightly, dated January 7, 2011, as filed in <i>SIPCO v. Datamatic</i>
38.	“transmitter”	1, 2, 3, 4, 5, 6, 12, 15, 17, 18, 23, 25, 32, 33, 34, 36, 39, 41, 55	Does not require construction – entitled to plain & ordinary meaning. Alternatively, “a device capable of transmitting a message.”	Figs. 3A, 3B and related discussion	
39.	“wireless transmitter”	1, 3, 4, 32, 34	Does not require construction – entitled to plain & ordinary meaning. Alternatively, “a device capable of transmitting a wireless message.”	Figs. 3A, 3B and related discussion	
40.	“wireless transmitter configured to transmit select information”	1	See No. 39 (“wireless transmitter”). See No. 29 (“select	Figs. 3A, 3B and related discussion	

SIPCO v. ABB – SIPCO’s Proposed Claim Constructions for ‘692 Patent and Exemplary Intrinsic and Extrinsic Support

No.	TERM	Claims	SIPCO’s Proposed Constructions	Exemplary Intrinsic Support	Exemplary Extrinsic Evidence
			information...”).		
41.	“information signal consisting of a transmitter code and an information field”	55	Does not require construction – entitled to plain & ordinary meaning. Alternatively, “information signal that includes a code for identifying a particular transmitter and an information field.”	Col. 8, ll. 28-40; Figures 3A-3E, 11 and related discussion; Col. 9, ll. 32-34; Col. 13, ll. 57-66 Fig. 11 (shows additional elements included in the signal)	
42.	“information signal consisting of a transmitter identification code and an information field”	18, 55	Does not require construction – entitled to plain & ordinary meaning. Alternatively, “information signal that includes a code for identifying a particular transmitter and an information field.”	Col. 8, ll. 28-40; Figures 3A-3E, 11 and related discussion; Col. 9, ll. 32-34; Col. 13, ll. 57-66; Fig. 11 (shows additional elements included in the signal)	
43.	“placing a plurality of [relatively low-power radio-frequency (RF)] transceivers”	18, 55	Does not require construction – entitled to plain & ordinary meaning. Alternatively, “situating a plurality of [relatively low-power radio-frequency (RF) transceivers].”		
44.	“placing a plurality of [relatively] low-power radio-frequency (RF) transceivers dispersed geographically”	18, 55	Does not require construction – entitled to plain & ordinary meaning. Alternatively, “situating a plurality of [relatively] low-power radio-frequency (RF) transceivers dispersed geographically.”		
45.	“first segment...”	2, 15, 33, 39, 44	Not a means-plus-function limitation. Does not require construction –	Col. 3, ll. 25-38; Col. 11, ll. 23-25	

SIPCO v. ABB – SIPCO’s Proposed Claim Constructions for ‘692 Patent and Exemplary Intrinsic and Extrinsic Support

No.	TERM	Claims	SIPCO’s Proposed Constructions	Exemplary Intrinsic Support	Exemplary Extrinsic Evidence
			entitled to plain & ordinary meaning. Alternatively, “a first segment of computer code capable of evaluating received information to identify an originating transmitter.”		
46.	“second segment...”	2, 16, 33, 40, 44	<p>Not a means-plus-function limitation.</p> <p>Does not require construction – entitled to plain & ordinary meaning. Alternatively, “a second segment of computer code capable of evaluating the received information and identifying transceivers that relayed the select information from the originating transmitter to the gateway.”</p>	Col. 3, ll. 25-38; Col. 11, ll. 23-25	
47.	“third segment...”	2, 17, 33, 41, 44	<p>Not a means-plus-function limitation.</p> <p>Does not require construction – entitled to plain & ordinary meaning. Alternatively, “a third segment of computer code capable of evaluating the select information transmitted from the originating transmitter embedded within the received information.”</p>	Col. 3, ll. 25-38; Col. 11, ll. 23-25	
48.	“fourth segment...”	2, 33, 44	<p>Not a means-plus-function limitation.</p> <p>Does not require construction – entitled to plain & ordinary meaning. Alternatively, “a segment of computer code responsive to the first, second, and</p>	Col. 3, ll. 25-38; Col. 11, ll. 23-25	

SIPCO v. ABB – SIPCO’s Proposed Claim Constructions for ‘692 Patent and Exemplary Intrinsic and Extrinsic Support

No.	TERM	Claims	SIPCO’s Proposed Constructions	Exemplary Intrinsic Support	Exemplary Extrinsic Evidence
			third segments for determining an action to be taken based upon the select information, the identified originating transmitter, and the identified transceivers.”		
49.	“adaptively configuring at least one transmitter with a sensor”	18	Does not require construction – entitled to plain & ordinary meaning. Alternatively, “configuring at least one transmitter to be connected to or in communication with a sensor.”	Fig. 3B and related discussion	
50.	“[dispersed geographically at defined] locations”	1	Does not require construction – entitled to plain & ordinary meaning. Alternatively, “position”	Abstract; Col. 3, ll. 10-29; Col. 7, ll. 33-35;	

SIPCO v. ABB – SIPCO’s Proposed Claim Constructions for ‘492 Patent and Exemplary Intrinsic and Extrinsic Support

No.	TERM	Claims	SIPCO’s Proposed Construction	Exemplary Intrinsic Evidence	Exemplary Extrinsic Evidence
1.	“a data value comprising a scalable message;” “a scalable data value comprising a scalable message” “at least one data value comprising a scalable message”	1, 8, 14, 19	Does not require construction – entitled to plain & ordinary meaning. Alternatively, “a data value comprising a message, in which the number of bits in the message can be varied.”	Col. 10, ll. 41-44; Fig. 7 and related discussion	
2.	“a postscript”	5	Does not require construction – entitled to plain & ordinary meaning. Alternatively, “a sequence of bits that follows a message.”	Col. 11, ll. 6-16	Dictionary.com: postscript: (1) a paragraph, phrase, etc., added to a letter that has already been concluded and signed by the writer; (2) any addition or supplement, as one appended by a writer to a book to supply further information.
3.	“a preface”	5	Does not require construction – entitled to plain & ordinary meaning. Alternatively, “a sequence of bits that precedes a message.”	Col. 11, ll. 6-16	Dictionary.com: preface: (1) a preliminary statement in a book by the book's author or editor, setting forth its purpose and scope, expressing acknowledgment of assistance from others, etc.; (2) an introductory part, as of a speech; (3) something preliminary or introductory.
4.	“a receiver address comprising a scalable address of at least one remote device”	1	Does not require construction – entitled to plain & ordinary meaning. Alternatively, “scalable address” should be construed to mean: “an address that is variable based on the size and complexity of the system.”	Col. 6, ll. 24-29; Col. 9, l. 59 – Col. 10, l. 4; Col. 11, l. 17-29, Col. 10, ll. 41-42; Figs. 8, 9	‘511 Patent, Col. 13, ll. 14-20

SIPCO v. ABB – SIPCO’s Proposed Claim Constructions for ‘492 Patent and Exemplary Intrinsic and Extrinsic Support

No.	TERM	Claims	SIPCO’s Proposed Construction	Exemplary Intrinsic Evidence	Exemplary Extrinsic Evidence
5.	“a receiver address comprising a scalable address of at least one of the intended receiving transceivers”	19	See No. 4 (“a receiver address comprising a scalable address of at least one remote device”).		
6.	“a scalable address of at least one remote wireless device”	14	See No. 4 (“a receiver address comprising a scalable address of at least one remote device”).		
7.	“a transceiver operatively configured to be in communication with at least one other of a plurality of transceivers”	19	Does not require construction – entitled to plain & ordinary meaning. Alternatively, “a two-way wireless communication device that is operatively configured to be in communication with at least one other of a plurality of two-way wireless communication devices.”	Col. 12, ll. 59-60; Figs. 2-5 and related discussion	
8.	“actuator associated with at least one of the transceivers”	2	See No. 10 (“actuator”).		
9.	“actuator configured to actuate”	11	See No. 10 (“actuator”).		
10.	“actuator”	2, 11, 17	Does not require construction – entitled to plain & ordinary meaning. Alternatively, “an equipment, program, or device capable of effectuating a desired system response.”	Col. 1, ll. 47-50; col. 8, ll. 7-13, ll. 30-32;	
11.	“at least one sensor associated with at least one of the transceivers to detect a condition”	2	Does not require construction – entitled to plain & ordinary meaning. Alternatively, “at least one sensor associated with at least one of the transceivers to detect a system or operational condition.” See No. 28 (“sensor”)	Abstract; Col. 6, ll. 20-21; Col. 7, ll. 12-17; Col. 8, 11. 1-6.	

SIPCO v. ABB – SIPCO’s Proposed Claim Constructions for ‘492 Patent and Exemplary Intrinsic and Extrinsic Support

No.	TERM	Claims	SIPCO’s Proposed Construction	Exemplary Intrinsic Evidence	Exemplary Extrinsic Evidence
12.	“communicate command and sensed data between remote devices”	1	Non-limiting preamble. Does not require construction – entitled to plain & ordinary meaning. Alternatively, “communicate control instructions and data related to a system or operational condition between remote devices.”	Abstract	
13.	“communicate command and sensed data between remote wireless communication devices”	14	See No. 12 (“communicate command and sensed data between remote devices”).		
14.	“communicate with at least one other remote wireless device via the transceiver”	14, 25	Does not require construction – entitled to plain & ordinary meaning. Alternatively, “communicate, via the transceiver, with at least one other ‘remote device.’”		<i>Markman</i> Opinion and Order, <i>SIPCO, LLC, et al. v. The Toro Co., et al.</i> , No. 08-0505 (E.D. Pa. Feb. 10, 2009) (declining to construe “remote devices” in the context of the ‘511 Patent) Testimony of Dr. Edward Knightly
15.	“controller associated with a remote wireless device comprising a transceiver”	1	Does not require construction – entitled to plain & ordinary meaning. Alternatively, “an equipment, program, or device that controls or implements the operation of a device or process and is associated with a remote wireless device comprising a transceiver.”	Fig. 3 and related discussion	
16.	“controller configured to communicate with at least one other remote wireless device”	14, 25	See Nos. 17 (“controller”).		
17.	“controller”	1, 2, 3, 8, 14, 15, 16, 19, 25	Does not require construction – entitled to plain & ordinary meaning. Alternatively, “an	Fig. 3; Col. 7, ll. 1-7, ll. 53-56; Col. 10, ll. 17-24.	Microsoft dictionary: “controller: A device that other devices rely on for

SIPCO v. ABB – SIPCO’s Proposed Claim Constructions for ‘492 Patent and Exemplary Intrinsic and Extrinsic Support

No.	TERM	Claims	SIPCO’s Proposed Construction	Exemplary Intrinsic Evidence	Exemplary Extrinsic Evidence
			equipment, program, or device that controls or implements the operation of a device or process.”		access to a computer subsystem.”
18.	“determine a location from which the duplicate message originated”	16	Does not require construction – entitled to plain & ordinary meaning. Alternatively, “determine the device from which the duplicate message originated.”	Col. 5, ll. 5-17; Fig. 3 (element 326)	
19.	“formats the sensed data signal into scalable byte segments”	4, 21	Does not require construction – entitled to plain & ordinary meaning. Alternatively, “formats the sensed data into at least one segment in which the number of bits in each segment can be varied.”	Col. 10, ll. 41-44	
20.	“geographically remote”	9	Does not require construction – entitled to plain & ordinary meaning. Alternatively, “at separate geographical locations.”		
21.	“location”	8, 16	Does not require construction – entitled to plain & ordinary meaning. Alternatively, “identity of a device.”	Col. 7, ll. 9-13; Col. 9, ll. 23-25; Col. 13, ll. 34-38	
22.	“logic level”	5	Does not require construction – entitled to plain & ordinary meaning. Alternatively, “the physical quantity level that corresponds to one of the basic digits in a numeration system. For example, the voltage level	Col. 10, ll. 60-65	

SIPCO v. ABB – SIPCO’s Proposed Claim Constructions for ‘492 Patent and Exemplary Intrinsic and Extrinsic Support

No.	TERM	Claims	SIPCO’s Proposed Construction	Exemplary Intrinsic Evidence	Exemplary Extrinsic Evidence
			that corresponds to the basic digits in the binary number system: 0 and 1.”		
23.	“low voltage output”	5	Does not require construction – entitled to plain & ordinary meaning. Alternatively, “having an output with no signal.”	Col. 11, ll. 12-15.	
24.	“one sensor configured to detect a condition”	15	See No. 28 (“sensor”).		
25.	“plurality of transceivers”	2, 19	Does not require construction – entitled to plain & ordinary meaning. Alternatively, “two or more wireless two-way wireless communication devices.” See No. 7		
26.	“providing a controller to determine if at least one received message is a duplicate message and determining a location from which the duplicate message originated”	8	See No. 18 (“determine a location …”)		
27.	“scalable address”	1, 10, 14, 19, 25	See No. 4 (“a receiver address comprising a scalable address of at least one remote device”).		
28.	“sensor”	2, 15, 20	Does not require construction – entitled to plain & ordinary meaning. Alternatively, “an equipment, program, or device that monitors or measures the state or status of a parameter or condition.”	Col. 2, ll. 36-37; Col. 6, ll. 20-21, 30-38; Col. 5, ll. 55-66; Col. 7, ll. 23-24, 60-67;	

SIPCO v. ABB – SIPCO’s Proposed Claim Constructions for ‘492 Patent and Exemplary Intrinsic and Extrinsic Support

No.	TERM	Claims	SIPCO’s Proposed Construction	Exemplary Intrinsic Evidence	Exemplary Extrinsic Evidence
29.	“the controller further configured to reformat a message comprising a receiver address comprising a scalable address of at least one remote wireless device”	25	See No. 4 (“a receiver address comprising a scalable address of at least one remote device”).		
30.	“the packet further comprises at least one scalable address field to contain the unique address for at least one device”	10	See No. 4 (“a receiver address comprising a scalable address of at least one remote device”).		
31.	“the preformatted message having at least one scalable field”	2	Does not require construction – entitled to plain & ordinary meaning. Alternatively, “the preformatted message having at least one field, in which the number of bits in the field can be varied.”	Col. 10, ll. 41-42; Col. 9, ll. 60-62; Figs. 7-9	
32.	“transceiver”	1, 2, 3, 4, 6, 9, 14, 18, 19, 20, 21, 25	Does not require construction – entitled to plain & ordinary meaning. Alternatively, “a two-way wireless communication device.”	Col. 12, ll. 59-60; Figs. 2-5 and related discussion	
33.	“means for communicating information” “communicating means”	22 23	Function: communicating information. Structure: a transceiver such as that illustrated in Figure 3, including an RF transceiver controller 328, a data interface 321, a data controller 324, and an antenna 328, and equivalents thereof.	Figure 3 and related discussion	
34.	“means for alerting a recipient to an incoming packet”	22	Not a means-plus-function claim; does not require construction – entitled to plain & ordinary meaning. Alternatively, “a preface or	Figs. 7-9 and related discussion	

SIPCO v. ABB – SIPCO’s Proposed Claim Constructions for ‘492 Patent and Exemplary Intrinsic and Extrinsic Support

No.	TERM	Claims	SIPCO’s Proposed Construction	Exemplary Intrinsic Evidence	Exemplary Extrinsic Evidence
			portion of a packet for alerting a recipient to an incoming packet.”		
35.	“means for data transfer”	22	Not a means-plus-function claim; does not require construction – entitled to plain & ordinary meaning. Alternatively, “a portion of a packet transferring data.”	Figs. 7-9 (e.g. element 770) and related discussion	
36.	“means for dynamically sending and receiving messages”	22	Function: dynamically sending and receiving messages. Structure: a wireless transceiver and equivalents thereof.	Figure 3 and related discussion	
37.	“means for identifying intended recipients”	22	Not a means-plus-function claim; does not require construction – entitled to plain & ordinary meaning. Alternatively, “a portion of a packet containing information for identifying intended recipients.”	Figs. 7-9 (e.g. element 700) and related discussion	
38.	“means for identifying a message”	22	Not a means-plus-function claim; does not require construction – entitled to plain & ordinary meaning. Alternatively, “a portion of a packet containing information for identifying a message.”	Figs. 7-9 (e.g. element 750) and related discussion	
39.	“means for identifying a sender”	22	Not a means-plus-function claim; does not require construction – entitled to plain	Figs. 7-9 (e.g. element 710) and related discussion	

SIPCO v. ABB – SIPCO’s Proposed Claim Constructions for ‘492 Patent and Exemplary Intrinsic and Extrinsic Support

No.	TERM	Claims	SIPCO’s Proposed Construction	Exemplary Intrinsic Evidence	Exemplary Extrinsic Evidence
			& ordinary meaning. Alternatively, “a portion of a packet containing information for identifying a sender.”		
40.	“means for indicating a command”	22	Not a means-plus-function claim; does not require construction – entitled to plain & ordinary meaning. Alternatively, “a portion of a packet containing information for indicating a command.”	Figs. 7-9 (e.g. element 760) and related discussion	
41.	“means for indicating a byte length of a packet”	22	Not a means-plus-function claim; does not require construction – entitled to plain & ordinary meaning. Alternatively, “a portion of a packet containing information for indicating a byte length of a packet.”	Figs. 7-9 (e.g. element 740) and related discussion	
42.	“means for indicating a total number of packets in a message”	22	Not a means-plus-function claim; does not require construction – entitled to plain & ordinary meaning. Alternatively, “a portion of a packet containing information for indicating a total number of packets in a message.”	Figs. 7-9 (e.g. element 730) and related discussion	
43.	“means for indicating an end of a packet”	22	Not a means-plus-function claim; does not require construction – entitled to plain & ordinary meaning.	Figs. 7-9 and related discussion	

SIPCO v. ABB – SIPCO’s Proposed Claim Constructions for ‘492 Patent and Exemplary Intrinsic and Extrinsic Support

No.	TERM	Claims	SIPCO’s Proposed Construction	Exemplary Intrinsic Evidence	Exemplary Extrinsic Evidence
			Alternatively, “a portion of a packet for indicating an end of a packet.”		
44.	“means for indicating potential error”	22, 24	Not a means-plus-function claim; does not require construction – entitled to plain & ordinary meaning. Alternatively, “a portion of a packet containing information for indicating a potential error.”	Figs. 7-9 (e.g. element 780, 790) and related discussion	
45.	“means for packeting a message” “packeting means”	22	Function: formatting information into a message packet. Structure: a transceiver controller (such as element 328) and a message structure (such as that illustrated in Fig. 7), and equivalents thereof.	Col. 7, ll. 53-56 Fig. 7 and related discussion	
46.	“means for preparing responses to the received message”	22	Function: preparing responses to the received message. Structure: a data controller, such as that illustrated as element 324 of Figure 3, and equivalents thereof.	Figure 3 (e.g., element 324) and related discussion	
47.	“means for receiving messages”	22	Function: receiving messages. Structure: a wireless receiver, and equivalents thereof.	Figure 3 (e.g., element 328) and related discussion	
48.	“means for sending the response message”	22	Function: sending the response message. Structure: a wireless transmitter, and equivalents thereof.	Figure 3 (e.g., element 328) and related discussion; Figure 4 (e.g. element 410) and related discussion.	

SIPCO v. ABB – SIPCO’s Proposed Claim Constructions for ‘511 Patent and Exemplary Intrinsic and Extrinsic Support

No.	TERM	Claims	SIPCO’s Proposed Constructions	Exemplary Intrinsic Evidence	Exemplary Extrinsic Evidence
1.	“a site controller in communication with at least one of the plurality of wireless transceivers”	1, 27	See No. 18 (“site controller”).		
2.	“a wireless communication network adapted for use in an automated monitoring system for monitoring and controlling a plurality of remote devices via a host computer connected to a wide area network”	1, 8	Non-limiting preamble; does not require construction – entitled to plain & ordinary meaning. Alternatively, “a wireless communication network adapted for use in an automated monitoring system for using a host computer to monitor and control remote devices through a wide area network.”	Abstract; Col. 1, ll. 31-36; Figure 1; Col. 2, l. 27 – Col. 3, l. 30	
3.	“configured to receive a sensor data signal from the remote device and transmit an original data message using a predefined wireless communication protocol”	27	Does not require construction – entitled to plain & ordinary meaning. Alternatively, “configured to receive a sensor data signal from the remote device and transmit an original data message using a defined message structure designed to allow devices to communicate wirelessly.”	Col. 8, ll. 11-17; Fig. 5 and related discussion	Microsoft dictionary: “communications protocol: a set of rules or standards designed to enable computers to connect with one another and to exchange information with as little error as possible...”
4.	“each of the plurality of wireless transceivers configured to receive a sensor data signal from one of the plurality of remote devices and transmit an original data message using a predefined wireless communication protocol”	1	See No. 3 (“configured to receive a sensor data signal from the remote device and transmit an original data message using a predefined wireless communication protocol”).		
5.	“establishing a wireless communication network [that enables each of a plurality of	27	Does not require construction – entitled to plain & ordinary meaning. Alternatively, “assembling the listed components	Figs. 1 and 2 and related discussion.	

SIPCO v. ABB – SIPCO’s Proposed Claim Constructions for ‘511 Patent and Exemplary Intrinsic and Extrinsic Support

No.	TERM	Claims	SIPCO’s Proposed Constructions	Exemplary Intrinsic Evidence	Exemplary Extrinsic Evidence
	customers to monitor at least one remote device via a wide area network”		in a network in which the plurality of wireless transceivers can communicate wirelessly with one another.”		
6.	“host computer”	1, 8, 13, 20, 27	Does not require construction – entitled to plain & ordinary meaning. Alternatively, “a computing device that provides services.”	Abstract; Col. 2, ll. 48-52; Col. 19, ll. 19-20.	
7.	“information related to the sensor data signal”	1, 8, 27	Does not require construction – entitled to plain & ordinary meaning. Alternatively, “information related to the signal including data from a sensor.”	Col. 6, l. 66 – Col. 7, l. 5	<i>Markman Opinion and Order, SIPCO, LLC, et al. v. The Toro Co., et al., No. 08-0505 (E.D. Pa. Feb. 10, 2009)</i> (declining to construe “sensor data signal”)
8.	“integrated”	27	Does not require construction – entitled to plain & ordinary meaning. Alternatively, “connected to or associated with.”	Col. 5, ll. 1-7; Fig. 2	
9.	“original data message”	1, 2, 3, 8, 9, 10, 13, 14, 20, 21, 27	Does not require construction – entitled to plain & ordinary meaning. Alternatively, “a data message transmitted by a wireless transceiver that first receives a data signal from one of the sensors.”	Claims 1, 8, and 13; Col. 3, ll. 1-30; Figure 1	<i>Markman Opinion and Order, SIPCO, LLC, et al. v. The Toro Co., et al., No. 08-0505 (E.D. Pa. Feb. 10, 2009)</i> (declining to construe “original data message”)
10.	“plurality of wireless transceivers”	1, 2, 3, 6, 7, 9, 13, 14, 15, 18, 19, 20, 21, 22, 25, 26, 27	Does not require construction – entitled to plain & ordinary meaning. Alternatively, “two or more wireless transceivers.” See No. 24 (“wireless transceivers having unique identifiers”).		

SIPCO v. ABB – SIPCO’s Proposed Claim Constructions for ‘511 Patent and Exemplary Intrinsic and Extrinsic Support

No.	TERM	Claims	SIPCO’s Proposed Constructions	Exemplary Intrinsic Evidence	Exemplary Extrinsic Evidence
11.	“providing an organization access”	27	Does not require construction – entitled to plain & ordinary meaning. Alternatively, “allowing an organization to access.”	Col. 20, ll. 33-35	
12.	“receive a sensor data signal from one of the plurality of remote devices”	1, 8, 13, 20	See No. 18 (“sensor data signal”).		
13.	“remote devices”	1, 8, 13, 20, 27	Does not require construction – entitled to plain & ordinary meaning. Alternatively, “one or more devices that are monitored and/or controlled.”	Col. 21, lines 52-56; Col. 3, ll. 32-35; Col. 22, ll. 34-40	<i>Markman</i> Opinion and Order, <i>SIPCO, LLC, et al. v. The Toro Co., et al.</i> , No. 08-0505 (E.D. Pa. Feb. 10, 2009) (declining to construe “remote devices”)
14.	“repeated data message including the sensor data signal and the corresponding unique identifier”	1, 8	“the repeated data message being a data message transmitted by a wireless transceiver that receives an original data message from one of the other wireless transceivers and includes: (a) the corresponding unique identifier of the wireless transceiver that sent the original data message; and (b) the sensor data signal of the original data message”	Col. 3, ll. 1-6; Fig. 1; Col. 14, ll. 63-66; Fig. 7	<i>Markman</i> Opinion and Order, <i>SIPCO, LLC, et al. v. The Toro Co., et al.</i> , No. 08-0505 (E.D. Pa. Feb. 10, 2009) Knightly Declaration dated September 26, 2008, as filed in <i>SIPCO, LLC, et al. v. The Toro Co., et al.</i> , No. 08-0505
15.	“repeater[s]”	2, 9, 14, 21	“two-way wireless communication devices that operate in the manner recited in the claims”	Col. 14, ll. 49 – Col. 15, l. 7; Figure 1 and related discussion	<i>Markman</i> Opinion and Order, <i>SIPCO, LLC, et al. v. The Toro Co., et al.</i> , No. 08-0505 (E.D. Pa. Feb. 10, 2009)
16.	“sensor data signal”	1, 2, 8, 9, 13, 14, 20, 21, 27	Does not require construction – entitled to plain & ordinary meaning. Alternatively, “a signal including data from a sensor.”	Col. 6, l. 66 – Col. 7, l. 5	<i>Markman</i> Opinion and Order, <i>SIPCO, LLC, et al. v. The Toro Co., et al.</i> , No. 08-0505 (E.D. Pa. Feb. 10, 2009) (declining to construe

SIPCO v. ABB – SIPCO’s Proposed Claim Constructions for ‘511 Patent and Exemplary Intrinsic and Extrinsic Support

No.	TERM	Claims	SIPCO’s Proposed Constructions	Exemplary Intrinsic Evidence	Exemplary Extrinsic Evidence
					“sensor data signal”)
17.	“sensor”	1, 2, 8, 9, 13, 14, 20, 21, 27	Does not require construction – entitled to plain & ordinary meaning. Alternatively, “an equipment, program, or device that monitors or measures the state or status of a parameter or condition”	Figs. 1, 2 and related discussion; Col. 2, l. 35; Col./ 4, ll. 53-56; Col. 6, ll. 44-61; Col. 8, ll. 3-24; Col. 7, ll. 30-40; Col. 9, ll. 8-10, 35-37; Col. 17, ll. 16-22.	
18.	“site controller”	1, 3, 13, 15, 27	“a device that manages and relays data between the wireless transceivers and the wide area network”	Col. 2, l. 27 – Col. 3, l. 30; Figures 1, 4 and related discussion	<i>Markman Opinion and Order, SIPCO, LLC, et al. v. The Toro Co., et al., No. 08-0505 (E.D. Pa. Feb. 10, 2009)</i>
19.	“the site controller configured to receive the original data messages and the repeated data messages, identify the remote device associated with the corresponding sensor data signal, and provide information related to the sensor data signal to the wide area network for delivery to the host computer”	1	See No. 18 (“site controller”).		
20.	“transceiver”	1, 2, 3, 6, 7, 8, 9, 13, 14, 15, 18, 19, 20, 21, 22, 25, 26, 27	Does not require construction – entitled to plain & ordinary meaning. Alternatively, “two-way wireless communication device.”	Abstract; Fig. 7 and related discussion; Col. 2, l. 53 – Col. 3, l. 29; Col. 8, ll. 3-16; Col. 14, ll. 3-17	<i>Markman Opinion and Order, SIPCO, LLC, et al. v. The Toro Co., et al., No. 08-0505 (E.D. Pa. Feb. 10, 2009) (construing “wireless transceivers having unique identifiers”)</i>
21.	“transmit a repeated data	1, 2, 8, 13,	See No. 14 (“repeated data		

SIPCO v. ABB – SIPCO’s Proposed Claim Constructions for ‘511 Patent and Exemplary Intrinsic and Extrinsic Support

No.	TERM	Claims	SIPCO’s Proposed Constructions	Exemplary Intrinsic Evidence	Exemplary Extrinsic Evidence
	“message”	14, 20, 21	message...”).		
22.	“wherein the original data message corresponds to the command message”	3, 10	Does not require construction – entitled to plain & ordinary meaning. Alternatively, “the ‘original data message’ is responsive to the command message.”	Col. 9, ll. 3-32	
23.	“wireless communication network”	all claims	Non-limiting preamble. Does not require construction – entitled to plain & ordinary meaning. Alternatively, “a network that includes wireless communication.”	Figs. 1, 2, 4 and related discussion	
24.	“wireless transceivers having unique identifiers”	1, 13, 20	“two-way wireless communication devices known as radio frequency (RF) transceivers having unique identifiers”	‘511 Patent Abstract; Fig. 7 and related discussion; Col. 2, l. 53 – Col. 3, l. 29; Col. 8, ll. 3-16; Col. 14, ll. 3-17	<i>Markman Opinion and Order, SIPCO, LLC, et al. v. The Toro Co., et al., No. 08-0505 (E.D. Pa. Feb. 10, 2009)</i> (construing “wireless transceivers having unique identifiers”)
25.	“command means for specifying a predefined command code”	11	Not a means-plus-function claim; does not require construction – entitled to plain & ordinary meaning. Alternatively, “A portion of a packet containing information for specifying a predefined command code.”	Figure 5 and related discussion Reexamination of the ‘511 Patent (Reexamination Control Nos. 90/010,505; 90/010,507; 90/010,508; 90/010,509), Office Action dated March 3, 2010 p. 4-5, wherein examiner found the “means”	

SIPCO v. ABB – SIPCO’s Proposed Claim Constructions for ‘511 Patent and Exemplary Intrinsic and Extrinsic Support

No.	TERM	Claims	SIPCO’s Proposed Constructions	Exemplary Intrinsic Evidence	Exemplary Extrinsic Evidence
				terms of claim 11 and 12 lacked function and therefore were not to be treated under 35 U.S.C. 112, para. 6	
26.	“each of the plurality of repeating means”	9	See No. 42 (“repeating means...”).		
27.	“means for transmitting a repeated data message”	9, 10	Function: transmitting a repeated data message. Structure: “a wireless transmitter and equivalents thereof.”	Figure 1 and related discussion Reexamination of the ‘511 Patent (Reexamination Control Nos. 90/010,505; 90/010,507; 90/010,508; 90/010,509), Office Action dated March 3, 2010 p. 4-5	
28.	“means for identifying the receiver of the data packet”	11	Not a means-plus-function claim; does not require construction – entitled to plain & ordinary meaning. Alternatively, “a portion of a packet containing information for identifying the receiver.”	Figure 5 and related discussion Reexamination of the ‘511 Patent (Reexamination Control Nos. 90/010,505; 90/010,507; 90/010,508; 90/010,509), Office Action dated March 3, 2010 p. 4-5, wherein examiner found the “means” terms of claim 11 and 12 lacked function and therefore were not to be treated under 35 U.S.C. 112, para. 6	

SIPCO v. ABB – SIPCO’s Proposed Claim Constructions for ‘511 Patent and Exemplary Intrinsic and Extrinsic Support

No.	TERM	Claims	SIPCO’s Proposed Constructions	Exemplary Intrinsic Evidence	Exemplary Extrinsic Evidence
29.	“means for identifying the sender of the data packet”	11	Not a means-plus-function claim; does not require construction – entitled to plain & ordinary meaning. Alternatively, “a portion of a packet containing information for identifying the sender.”	Figure 5 and related discussion Reexamination of the ‘511 Patent (Reexamination Control Nos. 90/010,505; 90/010,507; 90/010,508; 90/010,509), Office Action dated March 3, 2010 p. 4-5, wherein examiner found the “means” terms of claim 11 and 12 lacked function and therefore were not to be treated under 35 U.S.C. 112, para. 6	
30.	“means for identifying the current message”	12	Not a means-plus-function claim; does not require construction – entitled to plain & ordinary meaning. Alternatively, “a portion of a packet containing information for identifying the current message.”	Figure 5 and related discussion Reexamination of the ‘511 Patent (Reexamination Control Nos. 90/010,505; 90/010,507; 90/010,508; 90/010,509), Office Action dated March 3, 2010 p. 4-5, wherein examiner found the “means” terms of claim 11 and 12 lacked function and therefore were not to be treated under 35 U.S.C. 112, para. 6	

SIPCO v. ABB – SIPCO’s Proposed Claim Constructions for ‘511 Patent and Exemplary Intrinsic and Extrinsic Support

No.	TERM	Claims	SIPCO’s Proposed Constructions	Exemplary Intrinsic Evidence	Exemplary Extrinsic Evidence
31.	“means for identifying the receiver of the data packet”	11	Not a means-plus-function claim; does not require construction – entitled to plain & ordinary meaning. Alternatively, “a portion of a packet containing information for identifying the receiver.”	Figure 5 and related discussion Reexamination of the ‘511 Patent (Reexamination Control Nos. 90/010,505; 90/010,507; 90/010,508; 90/010,509), Office Action dated March 3, 2010 p. 4-5, wherein examiner found the “means” terms of claim 11 and 12 lacked function and therefore were not to be treated under 35 U.S.C. 112, para. 6	
32.	“means for identifying the current packet”	12	Not a means-plus-function claim; does not require construction – entitled to plain & ordinary meaning. Alternatively, “a portion of a packet containing information for identifying the current packet.”	Figure 5 and related discussion Reexamination of the ‘511 Patent (Reexamination Control Nos. 90/010,505; 90/010,507; 90/010,508; 90/010,509), Office Action dated March 3, 2010 p. 4-5, wherein examiner found the “means” terms of claim 11 and 12 lacked function and therefore were not to be treated under 35 U.S.C. 112, para. 6	
33.	“means for identifying, for	8	Function: identifying, for each	Fig. 4 and related discussion;	Agreed Upon Claim

SIPCO v. ABB – SIPCO’s Proposed Claim Constructions for ‘511 Patent and Exemplary Intrinsic and Extrinsic Support

No.	TERM	Claims	SIPCO’s Proposed Constructions	Exemplary Intrinsic Evidence	Exemplary Extrinsic Evidence
	each message, [the remote device associated with the corresponding sensor data signal]”		received message, the remote device associated with the corresponding sensor data signal. Structure: a site controller 150, including a central processing unit 404, a power supply 410, a memory 406 with look-up table or tables 414 and/or memory sectors for identifying a remote transceiver 416 and/or memory 406 configured with program code configured to identify a remote transceiver, and equivalents thereof.	Col. 11, ll. 8-18; 34-56 Reexamination of the ‘511 Patent (Reexamination Control Nos. 90/010,505; 90/010,507; 90/010,508; 90/010,509), Office Action dated March 3, 2010 p. 4-5	Constructions and <i>Markman</i> Hearing Transcript in <i>SIPCO, LLC, et al. v. The Toro Co., et al.</i> , No. 08-0505 (E.D. Pa. Feb. 10, 2009) Knightly Declaration dated September 26, 2008, as filed in <i>SIPCO, LLC, et al. v. The Toro Co., et al.</i> , No. 08-0505
34.	“means for indicating the total number of packets in the current message”	12	Not a means-plus-function claim; does not require construction – entitled to plain & ordinary meaning. Alternatively, “a portion of a packet containing information for indicating the total number of packets.”	Figure 5 and related discussion Reexamination of the ‘511 Patent (Reexamination Control Nos. 90/010,505; 90/010,507; 90/010,508; 90/010,509), Office Action dated March 3, 2010 p. 4-5, wherein examiner found the “means” terms of claim 11 and 12 lacked function and therefore were not to be treated under 35 U.S.C. 112, para. 6	
35.	“means for indicating a total number of bytes in the current packet”	12	Not a means-plus-function claim; does not require construction – entitled to plain & ordinary. Alternatively, “a portion of a packet containing information for indicating a total number of bytes	Figure 5 and related discussion Reexamination of the ‘511 Patent (Reexamination	

SIPCO v. ABB – SIPCO’s Proposed Claim Constructions for ‘511 Patent and Exemplary Intrinsic and Extrinsic Support

No.	TERM	Claims	SIPCO’s Proposed Constructions	Exemplary Intrinsic Evidence	Exemplary Extrinsic Evidence
			in the current packet.”	Control Nos. 90/010,505; 90/010,507; 90/010,508; 90/010,509), Office Action dated March 3, 2010 p. 4-5, wherein examiner found the “means” terms of claim 11 and 12 lacked function and therefore were not to be treated under 35 U.S.C. 112, para. 6	
36.	“means for providing information [related to the sensor data signal to the wide area network for delivery to the host computer]”	8	Function: providing information related to the sensor data signal to the wide area network for delivery to the host computer. Structure: “a site controller 150 including a central processing unit 404, a power supply 410, and network interface device(s) 408 for connecting between the site controller 150 and the wide area network 120, such as a network card, a digital subscriber line modem, an integrated services digital network (ISDN) interface card, configurable to enable a TCP/IP connection, and equivalents thereof.”	Fig. 4 and related discussion; Col. 10, ll. 54-64; Col. 11, ll. 57-60 Reexamination of the ‘511 Patent (Reexamination Control Nos. 90/010,505; 90/010,507; 90/010,508; 90/010,509), Office Action dated March 3, 2010 p. 4-5	Agreed Upon Claim Constructions in <i>SIPCO, LLC, et al. v. The Toro Co., et al.</i> , No. 08-0505 (E.D. Pa. Feb. 10, 2009)
37.	“means for providing a command message [to one of the plurality of wireless communication means]”	10	Function: providing a command message [to one of the plurality of wireless communication means]. Structure: “the site controller 150, including a central processing unit 404, an RF transceiver 402, and a power supply 410, for transmitting	Col. 5, ll. 17-23; Col. 9, ll. 3-14; Col. 15, ll. 48-57; Col. 16, ll. 1-10 Reexamination of the ‘511 Patent (Reexamination Control Nos.	

SIPCO v. ABB – SIPCO’s Proposed Claim Constructions for ‘511 Patent and Exemplary Intrinsic and Extrinsic Support

No.	TERM	Claims	SIPCO’s Proposed Constructions	Exemplary Intrinsic Evidence	Exemplary Extrinsic Evidence
			a command message initiated by the site controller 150, applications server 110, laptop 155, workstation 160, or any other device connected to the WAN 120, and equivalents thereof.”	90/010,505; 90/010,507; 90/010,508; 90/010,509), Office Action dated March 3, 2010 p. 4-5	
38.	“means for receiving each of the original data messages and repeated data messages”	8	Function: receiving each of the original data messages and the repeated data messages. Structure: a site controller 150 including an antenna 400, an RF transceiver 402, a central processing unit 404, and power supply 410, and equivalents thereof.	Fig. 4; Col. 10, ll. 54-64 Reexamination of the ‘511 Patent (Reexamination Control Nos. 90/010,505; 90/010,507; 90/010,508; 90/010,509), Office Action dated March 3, 2010 p. 4-5	Agreed Upon Claim Constructions in <i>SIPCO, LLC, et al. v. The Toro Co., et al.</i> , No. 08-0505 (E.D. Pa. Feb. 10, 2009)
39.	“means for receiving [the original data message] [transmitted by the least one of the plurality of wireless transceivers]”	9	Function: receiving the original data message. Structure: a wireless receiver and equivalents thereof.	Fig. 1 and related discussion Reexamination of the ‘511 Patent (Reexamination Control Nos. 90/010,505; 90/010,507; 90/010,508; 90/010,509), Office Action dated March 3, 2010 p. 4-5	
40.	“means for transmitting a repeated data message [using the predefined communication protocol]”	9	Function: transmitting a repeated data message. Structure: “a wireless transmitter and equivalents thereof.”	Figure 1 and related discussion Reexamination of the ‘511 Patent (Reexamination Control Nos. 90/010,505; 90/010,507; 90/010,508; 90/010,509), Office Action dated March 3, 2010 p. 4-5	

SIPCO v. ABB – SIPCO’s Proposed Claim Constructions for ‘511 Patent and Exemplary Intrinsic and Extrinsic Support

No.	TERM	Claims	SIPCO’s Proposed Constructions	Exemplary Intrinsic Evidence	Exemplary Extrinsic Evidence
41.	“means for transmitting, in responses to the command message, the original data message, wherein the original data message corresponds to the command message”	10	Function: transmitting, in responses to the command message, the original data message, wherein the original data message corresponds to the command message. Structure: a transceiver (such as element 135), a microcontroller (such as element 215), and a data controller (such as element 210), and equivalents thereof.	Figs 1 and 2 and related discussion; Col. 9, ll. 3-32 Reexamination of the ‘511 Patent (Reexamination Control Nos. 90/010,505; 90/010,507; 90/010,508; 90/010,509), Office Action dated March 3, 2010 p. 4-5	
42.	“repeating means [having unique identifiers, each of the plurality of repeating means in communication with at least one of the plurality of wireless communication means]”	9	Function: receiving the original data message transmitted by the at least one of the plurality of wireless transceivers and . . . transmitting a repeated data message using the predefined communication protocol, the repeated data message including the sensor data signal from the original data message and the unique identifier corresponding to the repeater. Structure: a wireless transceiver/repeater 125 device, including transceiver 135 comprising an RF transceiver controller 210, a microcontroller 215, a memory 220, and an antenna 225 and equivalents thereof.	Figures 1 and 2 and related discussion; Col. 5, ll. 36-42; Col. 6, ll. 62-66	<i>Markman Opinion and Order, SIPCO, LLC, et al. v. The Toro Co., et al., No. 08-0505 (E.D. Pa. Feb. 10, 2009)</i>
43.	“wireless communication means [having unique identifiers]”	8	Function: to receive a sensor data signal from one of the plurality of remote devices and transmit an original data message using a predefined wireless communication protocol, the original data message	Figures 1 and 2 and related discussion; Col. 6, l. 44 – Col. 7, l. 7 Reexamination of the ‘511	<i>Markman Opinion and Order, SIPCO, LLC, et al. v. The Toro Co., et al., No. 08-0505 (E.D. Pa. Feb. 10, 2009)</i>

No.	TERM	Claims	SIPCO’s Proposed Constructions	Exemplary Intrinsic Evidence	Exemplary Extrinsic Evidence
			<p>comprising the corresponding unique identifier and sensor data signal, and further configured to receive the original data message transmitted by one of the other wireless transceivers and transmit a repeated data message using the predefined communication protocol, the repeated data message including the sensor data signal and the corresponding unique identifier.</p> <p>Structure: “a wireless RF transceiver 135 that includes an RF transceiver controller 210, a data interface 205, a microcontroller 215, a memory 220, and an antenna 225 and equivalents of these structures.”</p>	<p>Patent (Reexamination Control Nos. 90/010,505; 90/010,507; 90/010,508; 90/010,509), Office Action dated March 3, 2010 p. 4-5</p>	<p>Declaration of Dr. Edward Knightly as filed in <i>SIPCO, LLC, et al. v. The Toro Co., et al.</i>, No. 08-0505</p>